UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,263	03/31/2004	Kalle Kangas	879A.0020.U1(US)	7473

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EXAMINER
WENDELL, ANDREW

ART UNIT	PAPER NUMBER
2618	

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on <u>09 June 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12 and 14-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12 and 14-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1, 5-7, and 14-20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Crocker et al. (US Pat Appl# 2004/0198366) in view of Guo (US Pat

Appl# 2006/0002338).

Regarding claim 1, Crocker et al. communication retry method over digital

wireless systems teaches a method for establishing a wireless data transfer connection

between a remote application (call center) 170 (Fig. 1) and a controlling application

(mobile vehicle telematics unit) 120 (Fig. 1), where the wireless link from the remote

application is implemented by a wireless terminal connected to the remote application,

the method comprising arranging a group of allowable connection parameter settings

210 and 260 (Fig. 2); attempting to use a default connection parameter setting 210

(Fig. 2); detecting that the default connection parameter setting for the wireless link is

not usable 220 (Fig. 2); selecting another connection parameter setting for the wireless

link from the group of allowable connection parameter settings 260 (Fig. 2 and

Sections 0034-0035). Crocker et al. fails to teach connection parameter settings in a

pre-determined order.

Guo's transmission rate change in communications networks teaches arranging a group of allowable connection parameter settings (transmission power) in a pre-determined order S3-S8 (Fig. 3); attempting to use a default connection parameter setting S1-S3 (Fig. 3); detecting that the default connection parameter setting for the wireless link is not usable S3-S8 (Fig. 3); serially selecting another connection parameter setting for the wireless link from the group of allowable connection parameter settings in the pre-determined order one-after-another until a usable connection parameter setting is found S4-S8 (Fig. 3).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate connection parameter settings in a pre-determined order as taught by Guo into Crocker et al. communication retry method over digital wireless systems in order to provide highest data rate, minimum transmit power, low delay, and low interference (Section 0011).

Regarding claim 5, the combination including Crocker et al. teaches attempting to establish a data transfer connection with a default connection parameter 210 (Fig. 2); determining if a data transfer connection has been established using the default connection parameter 220 (Fig. 2); if no data transfer connection has been established, trying a second time to establish a data transfer connection with the default connection parameter setting 250 (Fig. 2); and using the usable connection parameter setting to establish the data transfer connection 210 or 260 (Fig. 2 and Sections 0034-0035).

Regarding claim 6, the combination including Crocker et al. teaches further comprising noticing that the connection establishment is not possible because there is

no backup connection parameter settings defined according to the third comparison phase or allowed according to the fourth comparison phase 270 ("Yes," Fig. 2).

Regarding claim 7, Crocker et al. teaches a wireless terminal (mobile vehicle telematics unit) 120 (Fig. 1) connected to a remote application (call center) 170 (Fig. 1), the wireless terminal comprising transmitting and receiving means (Sections 0013-0016), a memory (Sections 0013-0015), an application interface (Sections 0013-0015) and a central unit (Sections 0013-0015), where the central unit further comprises a control logic (Section 0013-0014), the control logic operable to perform the following operations attempting to use a default connection parameter setting 210 (Fig. 2); detecting that the default connection parameter setting for the wireless link is not usable 220 (Fig. 2); selecting another connection parameter setting for the wireless link from the group of allowable connection parameter settings 260 (Fig. 2 and Sections 0034-0035). Crocker et al. fails to teach connection parameter settings in a pre-determined order.

Guo teaches attempting to use a default connection parameter setting S1-S3 (Fig. 3); detecting that the default connection parameter setting for the wireless link is not usable S3-S8 (Fig. 3); serially selecting another connection parameter setting for the wireless link from the group of allowable connection parameter settings, wherein the group of allowable connection parameter settings is ordered in a predetermined order, and wherein the connection parameter settings are serially selected, one-after-another, in the pre-determined order, until a usable connection parameter setting is found S4-S8 (Fig. 3).

Regarding claim 14, the combination including Guo teaches a list of allowable

service operators in preferred order S3-S8 (Fig. 3).

Regarding claim 15, Crocker et al. teaches detecting a need for a data transfer

across a wireless link 210 (Fig. 2); checking a default connection parameter setting 220

(Fig. 2); attempting to establish a connection with the default connection parameter

setting 210 (Fig. 2); determining if the data transfer connection has been established

using the default connection parameter setting 220 (Fig. 2); if no data transfer

connection has been established, trying a second time to establish a data transfer

connection with the default connection parameter setting 250 (Fig. 2); if no data

transfer connection is established after the second try, serially selecting another

connection parameter setting for the wireless link from a group of allowable connection

parameter settings 260 (Fig. 2 and Sections 0034-0035); and if a usable connection

parameter setting is found, establishing a data transfer connection with the usable

connection parameter setting 260 and 280 (Fig. 2). Crocker et al. fails to teach

connection parameter settings in a pre-determined order.

Guo teaches checking a default connection parameter setting S3 (Fig. 3, power

transmission); attempting to establish a connection with the default connection

parameter setting S1-S3 (Fig. 3); determining if the data transfer connection has been

established using the default connection parameter setting S3 (Fig. 3); serially

selecting another connection parameter setting for the wireless link from a group of

allowable connection parameter settings, wherein the group of allowable connection

parameter settings is ordered in a predetermined order, and wherein the connection

parameter settings are serially selected, one-after-another in the pre-determined order, until a usable connection parameter setting is found S4-S8 (Fig. 3); and if a usable connection parameter setting is found, establishing a data transfer connection with the usable connection parameter setting S9-S10 (Fig. 3).

Regarding claim 16, the combination including Crocker et al. teaches which further comprises noticing that the connection establishment is not possible because there is no backup connection parameter settings defined 270 ("Yes," Fig. 2).

Regarding claim 17, the combination including Crocker et al. teaches a computer program saved on an information carrier (Sections 0013-0015).

Regarding claim 18, Crocker et al. teaches detecting that a default connection parameter setting for the wireless link is not usable 220 (Fig. 2); determining if a command has been received from a controlling application changing an originally-defined order for selection of connection parameter settings to a new order 250 and 260 (Fig. 2 and Sections 0034-0035) and, if so, selecting a connection parameter setting in the new order established by the controlling application 260 (Fig. 2); and if no command has been received from the controlling application, selecting the connection parameter setting for the wireless link from a group of allowable connection parameter settings 260 (Fig. 2). Crocker et al. fails to clearly teach a new order.

Guo teaches detecting that a default connection parameter (transmission power) setting for the wireless link is not usable S3 (Fig. 2); determining if a command has been received from a controlling application changing an originally-defined order for selection of connection parameter settings to a new order and, if so, selecting a

connection parameter setting in the new order established by the controlling application S3-S8 (Fig. 3).

Regarding claim 19, Crocker et al. teaches arranging a group of allowable service operators (Sections 0034-0035), wherein a service operator ordered first comprises a default service operator 210 (Fig. 2); arranging a group of allowable connection parameter settings (Sections 0034-0035), wherein a connection parameter setting ordered first comprises a default connection parameter setting 210 (Fig. 2); attempting to use the default service operator 210 (Fig. 2); if the default service operator is not usable, selecting another service operator from the group of allowable service operators 220 and 260 (Fig. 2); detecting a need for a data transfer over a wireless link 210 (Fig. 2); attempting to use the default connection parameter setting 210 (Fig. 2); and if the default connection parameter setting is not usable, selecting another connection parameter setting for the wireless link from the group of allowable connection parameter settings 260 (Fig. 2 and Sections 0034-0035). Crocker et al. fails to teach connection parameter settings in a pre-determined order.

Guo teaches arranging a group of allowable service operators (power transmission) in a pre-determined order S3-S8 (Fig. 3), wherein a service operator ordered first comprises a default service operator S1-S3 (Fig. 3); arranging a group of allowable connection parameter settings in a pre-determined order, wherein a connection parameter setting ordered first comprises a default connection parameter setting; attempting to use the default service operator S3-S8 (Fig. 3); if the default service operator is not usable, serially selecting another service operator from the

group of allowable service operators in the pre-determined order one-after-another until

a usable service operator is found S3-S8 (Fig. 3); detecting a need for a data transfer

over a wireless link S1-S3 (Fig. 3); attempting to use the default connection parameter

setting S1-S3 (Fig. 3); and if the default connection parameter setting is not usable,

serially selecting another connection parameter setting for the wireless link from the

group of allowable connection parameter settings in the pre-determined order one-

after-another until a usable connection parameter setting is found S3-S8 (Fig. 3).

Regarding claim 20, Crocker et al. teaches where the central unit (Sections

0013-0015) further comprises a control logic, the control logic operable to perform the

following operations attempting to use a default connection parameter setting 210 (Fig.

2); detecting that the default connection parameter setting is not usable 220 (Fig. 2);

selecting a connection parameter setting for the wireless link from a group of allowable

connection parameter settings 260 (Fig. 2 and Sections 0034-0035); and selecting a

service operator from a list of allowable service operators 260 (Fig. 2).

Guo teaches attempting to use a default connection parameter setting S1-S3

(Fig. 3, transmission power); detecting that the default connection parameter setting is

not usable S3 (Fig. 3); selecting a connection parameter setting for the wireless link

from a group of allowable connection parameter settings S4-S8 (Fig. 3); and serially

selecting a service operator from a list of allowable service operators, wherein the list is

in a pre-determined order, and wherein the service operators are selected one-after-

another in the pre-determined order S3-S8 (Fig. 3).

1.   Claims 2-4 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable
over Crocker et al. (US Pat Appl# 2004/0198366) in view of Guo (US Pat Appl#
2006/0002338).

Regarding claim 2, Crocker et al. communication retry method over digital
wireless systems in view of Guo's transmission rate change in communications
networks teaches the limitations in claim 1. Crocker et al. further teaches where after a
successful data transfer connection the wireless terminal restores the original default
connection parameter setting. The first link is predetermined set (Sections 0028-0029)
it would be obvious that the system would default back to the first link because it is the
predetermined main way to communicate and the second link is not the desired mode to
communicate.

Therefore, it would have been obvious at the time of the invention to one of
ordinary skill in the art at the time the invention was made to incorporate restoring to the
original default connection into connection parameter settings in a pre-determined order
as taught by Guo into Crocker et al. communication retry method over digital wireless
system in order to improve the method of reestablishing communication links (Section
0006).

Regarding claim 3, the combination including Crocker et al. teaches where the
original connection parameter setting is restored immediately after the successful data
transfer connection. Again, the first link is predetermined set (Sections 0028-0029) it
would be obvious that the system would default back to the first link because it is the

predetermined main way to communicate and the second link is not the desired mode to communicate.

Regarding claim 4, the combination including Crocker et al. teaches where the original connection parameter setting is restored when a predetermined time (any time limit), defined by the controlling or remote application, has been lapsed after the successful data transfer connection. Again, the first link is predetermined set (Sections 0028-0029) it would be obvious that the system would default back to the first link because it is the predetermined main way to communicate and the second link is not the desired mode to communicate. It has to happen at a predetermined time (any time) for it to actually restore to the default connection.

Regarding claim 8, the combination including Crocker et al. teaches restoring the original default connection parameter setting after a successful data transfer connection. The first link is predetermined set (Sections 0028-0029) it would be obvious that the system would default back to the first link because it is the predetermined main way to communicate and the second link is not the desired mode to communicate.

Regarding claim 9, the combination including Crocker et al. teaches restoring the original connection parameter setting immediately after the successful data transfer connection. Again, the first link is predetermined set (Sections 0028-0029) it would be obvious that the system would default back to the first link because it is the predetermined main way to communicate and the second link is not the desired mode to communicate.

Regarding claim 10, the combination including Crocker et al. teaches restoring

the original connection parameter setting is restored when a predetermined time (any

time limit), defined by the controlling or remote application, has been lapsed after the

successful data transfer connection. Again, the first link is predetermined set (Sections

0028-0029) it would be obvious that the system would default back to the first link

because it is the predetermined main way to communicate and the second link is not

the desired mode to communicate. It has to happen at a predetermined time (any

time) for it to actually restore to the default connection.

2.   Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Crocker et al. (US Pat Appl# 2004/0198366) in view of Guo (US Pat Appl#

2006/0002338) and further in view of Provost et al. (US Pat Appl# 2004/0203948).

Regarding claim 11, Crocker et al. communication retry method over digital

wireless systems in view of Guo's transmission rate change in communications

networks teaches the limitations in claim 7. Crocker et al. and Guo fails to teach a

GSM terminal.

Provost et al. system for acknowledging a message received on a mobile

terminal teaches where the wireless terminal is a GSM terminal (Sections 0048 and

0061-0062).

Therefore, it would have been obvious at the time of the invention to one of

ordinary skill in the art at the time the invention was made to incorporate a GSM

terminal as taught by Provost et al. into connection parameter settings in a pre-

determined order as taught by Guo into Crocker et al. communication retry method

over digital wireless system in order to provide a read acknowledgment system

(Section 0005).

Regarding claim 12, Provost et al. further teaches where the group of allowable

connection parameter settings allowed for GSM terminal comprises at least two of the

following: GPRS (Section 0002) and SMS (Sections 0031 and 0048).

Response to Arguments

3.   Applicant's arguments with respect to claims 1-12 and 14-20 have been

considered but are moot in view of the new ground(s) of rejection.

Conclusion

4.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Andrew Wendell whose telephone number is 571-272-

0557. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrew Wendell
Examiner
Art Unit 2618

7/27/2006

QUOCHIEN B. VUONG
PRIMARY EXAMINER

8/4/06